

SCHOOL TRUSTEE DENIES SELLING DESKS TO SCHOOLS

W. L. Peabody Says There Was No Understanding with T. H. Rogers Co.—His Firm Often Delivers Direct to Schools But Rogers Gets the Money and Pays for Goods at Wholesale Prices.

School board business affairs continue to be a leading topic of discussion among business men and others of the city. It was even the subject of remarks at a get-together dinner of St. Clement's parish last night.

The matter of purchases by the board in the general topic, the conversation hinged on certain transactions in which it is stated that members of the board have been closely connected with sales of goods to the schools. Friends of Henry Welch asserted that in the old days lines were not closely drawn, and that all he ever did was justified by precedent. For example, it was pointed out, that goods from the E. B. Welch company, in which W. L. Peabody, chairman of the internal committee of the school board, is interested, have gone into the public schools since Peabody held office.

This was met by the statement that these goods were supplied to the schools not by the E. B. Welch Co., but by T. H. Rogers & Co., who bought wholesale from the Welch company.

To the query if the E. B. Welch com-

RIOTERS BURN DOWN PAPER MILL

Troops Called Out at Glens Falls, N. Y.—The Phila- delphia Strike.

BIG ARBITRATION MEETING CALLED

Glens Falls, N. Y., March 11.—Com- pany K. of the second regiment, was re- quested by sheriff Washburn today to guard the Glens Falls mills of the In- ternational Paper company, where the pa- per makers are on a strike.

Small riots occurred in South Glens Falls and Port Edward last night.

At Port Edward a large paper store- house was burned.

Philadelphia, Pa., March 11.—Another effort to find a method for bringing to an end the struggle between the Rapid Transit company and its union employes will be made today by the United Busi- ness Men's association.

This body is represented by 32 organiza- tions with 12,000 members. A conven- tion composed of delegates from the trade bodies, religious and fraternal so- cieties as well as commercial and other organizations will meet this afternoon and take steps to bring the warring factions together.

The meeting will take the ground that the general public has some rights in the present situation and a powerful demand will be made to end the struggle quickly.

Meantime the strike committee is bending every effort to secure recruits from the big industrial plants. The general strike has resulted in some concessions. The workmen at the Bal- win Locomotive works have been granted a Saturday half holiday, and at Mid- vale steel works, where the big govern- ment armor and ordnance contracts are under way, the men have been granted time and a half for extra work.

The Transit company continues to in- crease the number of cars in opera- tion.

SOLDIER IS KILLED BY CARPENTER

L. G. Cavender Victim of a Bullet; Slayer Says He Took Him for Robber.

POLICE HOLDING SLAYER IN JAIL

L. G. Cavender, an American soldier about 30 years of age, is dead, a .33 calibre bullet having pierced his brain;

Charles Phillips, a carpenter 49 years of age, residing at 402 South Santa Fe street, is confined in the city jail charged with the killing, which oc- curred shortly before 1 o'clock this morning at the residence of Maria Ar- rieta, of 402 South Santa Fe street, where Phillips had occupied a room for the past 10 or 12 years.

Phillips claims that the deceased at- tempted to burglarize the house and that he shot him, but the police are con- ducting a rigid investigation in order to determine the cause of the killing.

As the man in jail this morning Phillips told the following story: "I am 49 years old and have lived at the residence of Maria Arrieta for the past 10 or 12 years. I was formerly a railroad man, though I have not worked at that busi- ness since 1898. Prior to that time I was a conductor on the Mexican Cen- tral, running south from Juarez.

"Thursday night a little after 12 o'clock, while I was sleeping soundly in my room, which is in the rear of that occupied by the two women, I was aroused by the young woman, Cipriana Relles, knocking at my door and calling 'Robbers have got my things, or some- thing to that effect. I jumped from my bed, dressed only in my undercloth- ing, grabbed my gun and rushed to the front room about 10 or 12 feet distant. I saw the old woman in bed and a man was standing in the door. I said 'Hold up your hands, or what are you doing here' or something like that. I do not remember exactly what I said. He never spoke but threw his right hand back toward his hip pocket and I fired. He fell to the ground instantly.

"Then I turned around and saw an- other man, I do not recall whether he was standing or sitting, but I said: 'Come with me,' to which he replied: 'No, I will go to the police station.' I insisted that he come with me to my room, saying I would go to the police station with him.

"When I turned to put on my shirt he was gone. I dressed and immedi- ately came to the police station and sur- rendered.

"I cannot tell all that happened last night because I was excited and every- thing happened so quickly. I was ex- cited because the house next door to us had been robbed at least a dozen times during the past year and that is why I grabbed my gun when I saw the man at the door."

Woman's Story. Cipriana Relles, who is well known to the police and to all residents of the neighborhood in which she resides for several months, in a way corroborated Phillips's story. According to the police, when officers went to the house this morning she said: "There is a room to rent to the right of the one Maria Arrieta and I occupied. The deceased came to the house last night after 12 o'clock and asked to rent a room. I opened the door and he came in; he grabbed me and slipped a ring from my left hand and said to a second man who accompanied him, 'There is the ring,' throwing it on the dresser. He screamed and Phillips came rushing out and shot the man.

"His companion took a watch from his pocket and said he was going to the police station."

The police say that no companion of the dead man ever came to the station. The Bullet Wound. Cavender evidently died immediately after he was shot, as coroner E. B. Mc- Clintock, who went to the scene about 2 o'clock, found him lying inside the door with a .33 calibre bullet wound through the brain. The bullet had en- tered a little over the left eye and had come out in about the middle of the back of the head, leaving a wound the size of the circumference of an ordi- nary lead pencil. He was well dressed and is said to have been a soldier on leave of absence.

From a memorandum book found on his person, justice McClintock deter- mined that he was a soldier and ordered the remains removed to a local un- der-taking establishment, where he was identified this morning by a soldier from Fort Bliss as having been a soldier.

There was an empty envelope in his coat pocket bearing the postmark of Waverly, N. Y., and the police express the opinion that he may have relatives there.

Coroner McClintock has not arrived at any decision in regard to the killing and will not do so until after the exam- ining trial has been held, which will probably be today.

Police Suspicious. The house in which the killing oc- curred is in a section which has been watched by the police and does not en- joy the best name.

Comment around the police station and courthouse this morning was to the effect that there may have been a woman mixed up in the case.

Story of Killing. T. B. Paxton, of 3121 Bliss street, East El Paso, told the following story of the occurrence this morning: "Ca- (Continued on Page Ten.)

EL PASCO BUILDING AEROPLANE; HOPES TO FLY NEAR FORT BLISS

Providing the plans of Lewis W. Teel, of the Southwestern Motor works, and P. H. Manning, Jr., 804 North Stanton street, materialize, El Paso within six weeks will be the scene of a second conquest of the air. They have com- menced assembling material and the paraphernalia necessary for the con- struction of an airship.

The aviation grounds will be located about three blocks east of Fort Bliss and the soldiers stationed there will be shown the practical uses of the craft—if all goes well.

Mr. Manning, who will construct the biplane, a brother of Miss Mildred Man- ning's, of the Majestic theater, is visit- ing at the home of his brother, F. E. Manning, 804 North Stanton. He arrived from Chicago a month ago to witness the flights made by Hamilton in El Paso. In the parlance of people of the sawdust ring, he is a "balloon jumper," having made balloon ascensions for a number of years. He was formerly con- nected with G. H. Stevens, a dirigible balloon builder, of New York, and has made flights with him. Mr. Manning has also witnessed the flights made by

Willard, Curtis, Knabenshue and the Wright Bros.

The biplane which he and Mr. Teel propose to construct will be a double deck affair, six feet wide and 34 feet long. Spruce and bamboo wood, braced with No. 16 piano wire, and covered with oiled silk, will form the real plane. The engine which the ship will carry is being made by Mr. Teel. It will be a four cylinder, 40 horse power. The assembling of the various parts has been commenced. The biplane, although it will have a number of features used in other ships, will be different in a number of respects.

Improved Steering Gear. "One of the improvements," Mr. Man- ning stated last night, "will be in the steering gear. I am not at liberty to make a definite statement, as we expect to patent the feature. The engine will also be different, as will be other parts."

The engine is expected to weigh about 350 pounds and it is thought the air- ship when completed will have a car- rying capacity of from 900 to 1000 pounds. It is proposed to carry pas- sengers.

Mr. Manning has made a study of airships, and believes the one he

and Mr. Teel have under considera- tion will be a winner. Owing to the air being so light at El Paso, consid- erable more resistance must be offered by the ship than would be necessary in lower altitudes. This was shown by the fall experienced by Hamilton while in El Paso.

Will be Completely Under Control. "The ship, which we intend building," Mr. Manning also stated last night, "will be so completely under control of the aviator that it will be made to rise from the ground after running a distance of 20 feet. The engine will also be equipped so that the aviator can stop or start the motor at will, no matter how high or low in the air."

To Operate Near Fort. The biplane will be constructed on the aviation grounds near Fort Bliss by Mr. Manning, and it is thought it will be completed within a month. The en- gine, which is being assembled by Mr. Teel in his shop at California and St. Vrain streets, will be ready for as- sembly within six weeks, and then the flight which Mr. Manning proposes to make will be heralded. In the mean- time Mr. Manning expects to construct a "glider" at the motor shop. It is pro- posed to sail off the hill back of the shop as a test.

RESERVOIR BREAKS AND WATER DOES MUCH DAMAGE

Julesburg, Colo., March 11.—The reservoir of the Julesburg Irrigation dis- trict gave way early this morning, releasing several million gallons of water and flooding 17,000 acres of land.

Union Pacific tracks were washed out for a mile and a half and wires are down.

About 200 feet of masonry gave way and a wall of water 20 feet high rushed down the canyon.

The water has not yet reached Julesburg.

PRESIDENT COMING TO TEXAS

Fort Worth, Tex., March 11.—President Taft in a letter received by Sam Davidson, of this city, today says he will visit Fort Worth this fall en route to San Antonio, where he will address the Transmississippi congress. Taft will be accompanied by several members of the cabinet.

BREAKING FLOOD BLOCKADE IN UTAH

Ogden, Utah, March 11.—Through passenger trains of the Southern Pacific passed through Palisade canyon, Nev- ada, last night and the long blockade of overland traffic is now over. There are more than two thousand loaded freight cars west of Ogden, which start to move tonight.

A washout on the Oregon Short line near Montpelier, Idaho, has not yet been repaired and trains continue to be routed from Granger, Wyo., by way of Ogden.

Bear river is on the rampage and great difficulty is being experienced in placing even a temporary bridge over the stream.

STATE RAILROAD IS FAR BELOW STANDARD

Austin, Texas, March 11.—Engineer Parker of the state railroad commis- sion, returned today from Palestine, where he investigated the condition of the state railroad. He admitted that he found it far below the standard but refused to enter into details until he reports to the commission.

DALLINGER NOT DUISSED SECRETARY DID NOT ASK ITS VIEWS BY RECLAMATION SERVICE

Washington, D. C., March 11.—Arthur P. Davis, chief engineer of the reclamation service, testified before the Ballinger-Pinehot committee today that in preparing lists of lands to be restored to the public domain by secretary Ballinger, he felt that he was acting under mandatory orders from the secretary.

These lands had been withdrawn, witness said, by former secretary Gar- field for conservation and water power sites.

Mr. Ballinger, according to Mr. Davis, repeatedly gave verbal orders that lands so withdrawn should be prepared for restoration and said that their withdrawal had been in direct violation of the law and could not be sus- tained.

The "prosecution" claims that president Taft's letter of September 13 last exonerating Mr. Ballinger from the Glavis charges showed that Mr. Taft got the impression from Mr. Ballinger that he had made these restorations only upon recommendations of the reclamation service.

Chief engineer Davis also declared today that Mr. Ballinger had directed that lists of lands to be restored should be prepared slowly, so as not to attract public attention.

RAISED BILL CAUSES ARREST

Pedro Abeita Is Charged With Attempting to Pass It.

Pedro Abeita, a Mexican of good ap- pearance and flashy dress, is confined in the city jail on a charge of attempt- ing to pass a raised bill.

According to the police, he went to the Angelus bar Thursday night about 8 o'clock, ordered a drink and tendered a \$1 bill raised to a \$50 with the use of a cigar stamp in payment therefor. The bartender immediately noticed that the bill had been raised and sent the negro porter to the transfer station where he found policeman Parsons, who accom- panied him on his way back to the sa- loon. Abeita thought the porter had gone for change so he remained there until the policeman and the porter re- turned.

Parsons asked him where he got the bill and according to the officer, he said he had given a check for it, re- ceiving it from a bank at Globe, Ariz. He said he did not know it was raised when it was explained to him, but later, at the police station he is said to have told the sergeant that he bought it for \$24 in El Paso Thursday.

PATTEN MOBBED BY BRITISHERS

Police Have to Rescue Chi- cago Wheat Speculator From Populace.

London, Eng., March 11.—A dispatch from Manchester says James A. Patten, Chicago grain speculator, was hooted off the Manchester exchange this after- noon and subsequently fol- lowed through the streets by large crowd. He was obliged to seek refuge in a business office.

Patten was roughly jostled in the exchange before he was hustled out into the street. Eventually the police came to his rescue and prevented the hostile crowd from following the speculator into the office, where he found temporary safety.

Later he was smuggled out and driven away in a cab.

SUIT UNDER WAY TO OPEN SOUTH OREGON STREET

It required all day Thursday to secure a jury in the case of the city vs. W. W. Wiley whom the plaintiff seeks to dis- possess from occupying part of South Oregon street on Eighth street, where he has a saloon.

The jury was completed last night and the case opened this morning with the following jurors in the box: W. A. McLees, S. Ravel, C. A. House, R. B. Van derwater, George W. Roberts, George P. Pickens, W. F. Clyde, G. Q. Willis, A. G. Ferris, W. Y. Wallace, F. W. Love- lady.

COMMISSION ADDS MORE MEN TO EXTRA POLICE LIST

At a meeting of the police commission held Thursday afternoon five men were added to the extra list of the police de- partment. They are C. G. Henderson, F. A. Williams, Howell Cobb, L. A. Gutierrez and J. D. Thompson. No other busi- ness was transacted.

SUIT TO REMOVE TITLE

Emil Klenie has filed suit against P. J. Donnelly and wife in the 41st dis- trict court to remove cloud to the title of part of lots 27 and 28, in Block 7, MacKroffin addition, which includes the five room residence at 1291 San Antonio street.

SENATE REPORTS STATEHOOD BILL

Washington, D. C., March 11.—The senate committee on territories today voted to report favorably on the New Mexico and Arizona statehood bill, after adopting an amendment against disfranchising Mexican voters. All the Democrats except Clark (Ark.) opposed the amendment. If not added it would have made the new states Democratic.

Lands as in the house bill are granted for educational, charitable and penal institutions and for the payment of bonds and interest for Grant, Santa Fe, Pima and Yavapai counties. A million acres is granted to each state.

The bill prohibits liquor on Indian reservations for 25 years. No election can be held to change the capital in either state till 1925.

Arizona electors are all to be entitled to a vote who voted in 1908. New electors hereafter must read a section of the constitution and be able to sign their names.

In Arizona ten days after a proclamation by the governor, a county board can make a new registration of voters.

MACHINE IN NEW YORK UNHARMED

Is Still Grinding Out the Politics of the State—Root and Hughes Lose.

SHERMAN DISPLEASED OVER SPEAKERSHIP

Albany, N. Y., March 11.—George H. Cobb, of Watertown, was last night elected president pro tem of the New York senate to succeed senator J. P. Allis.

A telegram which senator Elihu Root sent from Washington urging the elec- tion of senator Harvey D. Hinman, an appeal in Hinman's behalf by governor Hughes at the eleventh hour, and the influence of the federal administration at Washington proved unavailing against the organization forces headed by chairman Timothy L. Woodruff of the Republican state committee.

Machine Victory. Although ostensibly Cobb's victory, it is a triumph for Woodruff and the "machine." The beaten side declares that Woodruff's influence is less re- sponsible than the will of the individ- ual senators. The state senators bit- terly resented that dictation that might discredit their own importance and authority with their constituents.

Ever since governor Hughes took of- fice an effort has been made to break up the coalition of the old local bosses. How well this has succeeded was shown by Cobb's election. Local leaders who have retained their power, rallied around Woodruff and Cobb was chosen because he is the ideal candidate, but because he is the strongest weapon with which to defeat Root and governor Hughes.

Sherman Displeased. Washington, D. C., March 11.—Appar- ently considerably disturbed over de- velopments at Albany, vice president Sherman and representative McKinley, chairman of the Republican congress- ional committee, called to see president Taft today. "I was not pleased with the selection of senator Cobb," said vice president Sherman. "The other selec- tion (meaning Hinman) would have meant plain sailing for the campaign and would not say the course of events com- plicates matters, but it certainly dis- turbs them."

WEGGEE CONFESS ROBBERIES

Coleman, Tex., March 11.—A gang of yegmen captured yesterday near here confessed to robbing the postoffice at Novice and other safe blowing escapes in various parts of the country.

Those in the gang are A. E. Perkins, George Davis, and James Fielding. The officers believe the largest amount in the band a plot to rob more banks, stores and postoffices, as a large amount of nitro-glycerine, dynamite fuses and caps were located.

Other arrests will follow.

FIRE AND EARTHQUAKE STIR UP SAN FRANCISCO

San Francisco, Cal., March 11.—Two hundred persons sleeping in a four story apartment house on Octavia and Hays streets and in two smaller houses adjoining, were driven out early this morning by fast spreading flames that destroyed all three buildings.

Several firemen were cut by falling glass. This followed a general fright all over the city by rather a severe earth- quake shock last night.

NEGRO GUARDED AT FORT WORTH

Addressed a Woman on the Street and Crowds Get Angry.

Fort Worth, Tex., March 11.—With the Dallas lynching of a week ago fresh in their minds, the negro, Bird Lee, is strongly guarded by police during his trial in the city court today. He was heavily fined for following and ad- dressing a well known white woman. The woman's husband attacked the negro as he was being led to his cell.

Denison Takes Precautions. Denison, Texas, March 11.—The ex- amining trial of Clifton Butler, Allie Mingo and Mrs. L. A. Rich, charged with the murder of Wesley Higdon was held here today and all three bound over to the grand jury without bail. Strong evidence against them was introduced. The prisoners were closely guard- ed and removed to the Sherman jail im- mediately following the trial.

WHALE CAUGHT NEAR PORT ARTHUR, TEX.

Port Arthur, Tex., March 11.— A 90 foot whale, which was captured near here, was brought to the docks and tied in the slip midnight last night and will be on exhibition there several days.

Railroads are arranging ex- cursions beginning tomorrow from points in Texas, Arkansas and Louisiana. Professor New- man, head of the sociology de- partment of the state university, will leave Austin for Port Ar- thur tonight to examine the big fish.

HIT BY A TRAIN.

Ahlens, Tex., March 11.—Capt. Bill Ellis, a pioneer cattleman and owner of the ranch in Callahan county, who resides here, was struck by an es- corted Texas and Pacific freight train this morning and seriously injured. His right leg was cut off. Ellis was stand- ing on the track watching the case- bound train when hit. He probably will recover.

SAVE 20¢ ON TICKETS CUT COUPONS FROM THE HERALD FOR CRAWFORD VAUDEVILLE

Saturday The Herald will print the first coupon for the Crawford vande- ville shows next Monday, Tuesday and Wednesday. Monday another coupon will be printed. One of these coupons and ten cents, if brought to The Herald office, will be good for a seat anywhere in the house on Monday, Tues- day or Wednesday nights or at the Tuesday matinee.

The tickets must be bought at The Herald office, however, as coupons will not be good at the Crawford box office. Tickets bought there will cost ten, twenty and thirty cents. All tickets, if bought at The Herald office and accompanied by Herald coupons, will be ten cents. Thus you save ten to twenty cents on a seat, if you belong to "The Herald family."

Two shows are to be given nightly—at 7:30 and 9:15—and as the tickets will be good for either performance on either evening or at the Tuesday mat- inee, everybody ought to be able to get a very cheap seat for a dime. The first to arrive get first choice of seats at each of these performances. The Herald makes no discrimination.

Watch for the coupon and save it; tickets cost the regular price if you haven't got The Herald coupon.